

AMERICAN NEUTRALITY POLICY: DEVELOPMENT TREND, 1932 – 1939

by

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On Inauguration Day, March 4, 1933, the Roosevelt Administration entered upon the burdensome legacy of its predecessor. The new Administration had to take far-reaching measures with a view to promoting the recovery of the economy, hit by the Great Depression. A number of questions, relating to world politics and international economy, had to be tackled without delay, too.

Hitler had risen to power some weeks before, and the world, under the pressure of the news which arrived from Germany, had no reason whatever to doubt the true nature of the Nazi regime. It was obvious that the advent of Nazism heralded a turning-point in world politics. Germany's demands for equality in armaments threatened to wreck the Disarmament Conference in Geneva. Shortly after Inauguration Day two British proposals reached the Administration¹ which urged upon the United States the need for concrete obligations, with a view to coming to the rescue of the cause of the disarmament. The horizon of the Far East darkened, too. On the pretext of the League of Nations' condemnation of the invasion of Manchuria, Japan walked out of the Assembly on February 24, 1933, and on March 27 she resigned from the League. The Roosevelt Administration had to come to a decision regarding the enforcement of the so-called Stimson Doctrine, viz. the non-recognition formula of the former Secretary of State of the Hoover Administration. The cause of the disarmament as well as the problem of the Far East were closely interconnected with the clarification of the American attitude towards the League, which – aggravated by the increasing isolationist mood throughout the country – became a pressing task to be solved by the Government, and was a key issue of American orientation in world politics.² The Administration had to arrive at a decision in respect of the diplomatic relations with the USSR, too. The United States, hit hard by the economic depression, could not dispense with the significant opportunities offered by the Soviet market. On the other hand, the normalization of the relations with the USSR became the order of the day on account of the positive Soviet attitude towards the Briand-Kellogg

Pact, the active participation of the USSR in the Disarmament Conference, and the non-aggression pacts that had been concluded with France and some East European countries in 1932. The political attitude towards Latin America had to be determined, too. The date of the forthcoming Pan American Conference, which had been postponed by a year in December, 1932, was approaching. The task of the Administration was by no means facilitated by the fact that the day before Cordell Hull became Secretary of State, his predecessor had rejected the invitation to join the Antiwar, Non-Aggression and Conciliation Pact of Saavedra Lamas, Foreign Minister of Argentina.

The problems to be faced by the Administration also included those connected with the world economy. By the time the new Administration took office the League of Nations had already been informed by Washington to the effect that the United States would be prepared to participate in the World Economic Conference to be convened under the aegis of the League. The United States could not miss the opportunity to bring pressure to bear on the Conference whose task would be to make an all-out effort to eliminating the monetary and commercial obstacles that were stubbornly hampering the international economic intercourse. Another consideration of Washington respecting the Conference was to make use of eventual new opportunities to be opened up, as a result of its deliberations, on international markets, expediting thereby the process of domestic economic recovery. It was, furthermore, imperative to come to a decision regarding the strategy of American participation in the Conference because the structure of war reparations and intergovernmental debts had broken down, hence it was of fundamental importance whether Washington would be prepared to moderate the American tariff wall, facilitating thereby the increase of dollar receipts of the debtor countries which, in turn, might make at least some token payments against the American claims.³

When reviewing the tasks, as determined by the immediate goals of American foreign policy, the Administration had to base its considerations on the platform, adopted at the 1932 National Convention of the Democratic Party. The platform, however, provided the framework only and reflected the precarious state of the American economy which prevailed at the time of the Convention. As pointed out by Cordell Hull in his Memoirs, the great panic pulled the attention of statesmen and the public away from foreign affairs and, when inserting objectives of international cooperation in the foreign policy plank, the decisive point was as to whether they could be gotten through the Convention.⁴ Therefore, all questions that were likely to injure the interests of influential groups and circles had to be avoided, for — on account of the controversial nature of such questions — they might have aroused heated debates or could have offended the views of the protagonists of certain political orientations and currents of ideas, respectively.

Though the platform indicated the main foreign policy goals, for practical purposes it served as a guide to a minor extent only. The foreign

policy goals enumerated were the following: "We advocate a firm foreign policy, including peace with all the world and the settlement of international disputes by arbitration; no interference in the internal affairs of other nations; the sanctity of treaties . . . ; adherence to the World Court with appending reservations; the Pact of Paris abolishing war as an instrument of national policy, to be made effective by provisions for consultation and conference in case of threatened violations of treaties. International agreements for reduction of armaments, and cooperation with nations of the Western Hemisphere to maintain the spirit of the Monroe Doctrine." And finally the principle connected with the international economy which had bearing on world politics, too: "We oppose cancellation of the debts owing to the United States by foreign nations."⁵

The wording of the foreign policy plank in respect of American adherence to the World Court was relatively concrete, at least compared with some other goals. The Democratic Party, which aimed at a cautious attitude towards controversial problems of international cooperation, did not want to make the Republicans believe that a new orientation in respect of an international organization would follow. Ever since 1923, the adherence to the Court was continuously on the agenda of the Republican Administrations, but the respective proposals were killed in the labyrinth of the Congress. The wording of the Democratic foreign policy plank in respect of the Court demonstrated the fact that the World Court was considered by the Democratic Party as a forum which could contribute to the settlement of international disputes, in fact another goal contained by the plank.⁶ It also indicated the intention of the Democratic Party to strengthening the efficiency of The Hague institution, in the interest of international law and order.

In the post-World War period it was the League of Nations which was regarded as the chief custodian of international lawfulness and the "sanctity of treaties". In consequence of the repudiation of the Wilsonian concept the United States had not become a member of the League, and the Democratic platform failed to make reference to the Geneva international institution. The silence was due to a statement of Roosevelt. Prompted by William Randolph Hearst, the newspaper publisher, Governor Roosevelt, a would-be Presidential nominee, rejected American adherence to the League in his speech delivered on February 2, 1932. Roosevelt, who was always capable of perceiving the prevailing balance of forces, opined that a statement which might have been construed as a favourable attitude towards the League would have weakened his position.⁷

Thus, the fact that the League was ignored by the Democratic platform was to be considered as a political decision. In brief, it amounted to the following. In case of a Democratic victory over the Republican rival no change would follow in respect of the American attitude towards the League, Washington would maintain the previous practice of non-participation in the political activities of the League, and would confine its contribution to League affairs to the fields of the so-called "tech-

nical" questions. (Economic and social problems, including those connected with health, demography, nutrition, as well as questions pertaining to education and labour, were considered as "technical" fields.⁸) The American delegates were participating in the work of different "technical" organs. They acted in a manner lest their presence should be interpreted as an American support of the political activities of the League of Nations. In conformity with this attitude, former President Hoover had agreed to American participation in the work of the World Economic Conference to be convened in 1933, and a similar decision of Roosevelt was based on the same consideration. The views of the Administration regarding the attitude towards the League were confirmed by Roosevelt at the end of 1933. Addressing — oddly enough — the Woodrow Wilson Foundation on December 28, 1933, the President said the following: "The League has provided a common meeting place; it has provided machinery which serves for international discussion, . . . it has helped labor and health and commerce and education, and, last but not least, the actual settlement of many disputes great and small among nations great and small. . . . We are not members and do not contemplate membership. We are giving cooperation to the League in every matter which is not primarily political. . . ."⁹ In this context the League of Nations was a forum where ideas and views could be exchanged, and the statement of Roosevelt was hardly alleviated by the reference to the role of the League in the settlement of international disputes. In accordance with this attitude no American Ambassador was appointed to the League, and the functions of American representation were fulfilled by the Minister of the United States to Switzerland.

Yet, the United States was participating actively in the work of the Disarmament Conference which had been convened under the aegis of the League, a fact that was giving evidence of a more lively interest in the political activities of the League than Roosevelt was prepared to admit. American participation in the work of the Disarmament Conference began in the last year of Hoover's Presidency. The attitude of the Roosevelt Administration towards the goals of the Conference remained unchanged, with the result that there was no reason to believe that the participation in the deliberations of the Conference might be interpreted as a desire to strengthening the ties with the League. On the other hand, the aim of armament reduction — an objective included in the Democratic platform — was approved by the victory of Roosevelt in the election campaign.

By March, 1933, it was already an established fact that the Articles of the Paris Pact, referred to in the platform, remained dead letters, and were unable to outlaw armed conflicts. The Briand-Kellogg Pact, signed on August 27, 1928, after protracted exchanges of views which had lasted more than a year, and ratified by 59 states,¹⁰ was considered as a solemn obligation not to resort to war. However, according to a somewhat sceptical statement, made in the American Congress, the Paris Pact had "no teeth".¹¹ The condemnation by the League of Japan's

aggression in Manchuria added fuel to the fire, and the continued advance of Japan served to show that war, that had been outlawed by the Paris Pact, remained an instrument of national policy. Japan was violating the Nine-Power Treaty of February 6, 1922, in that she disregarded China's territorial integrity. The developments in the Far East were the first to violate the principle of the "sanctity of treaties", adopted by the Democratic platform. The Japanese aggression was countered by the Hoover Administration by enunciating in January, 1932, the Stimson Doctrine which proclaimed the principle of non-recognition of situations brought about in contravention of the Paris Pact, and further by adhering to the resolution of the League which condemned Japan's actions. The Roosevelt Administration, however, had to take further steps. It had to come to a decision in respect of an invitation, extended by the League, to participate in an Advisory Committee to be entrusted with the task of dealing with the situation in the Far East. A positive answer of the Administration, it was feared in Washington, might have been easily interpreted by isolationist circles as a demonstration of collaborating with the League. Washington solved the dilemma by delegating the American Minister to Switzerland, as a non-voting member, to the Committee.¹² However, the main question was not whether the United States would participate, or not, in a committee whose prospects were far from promising. More was at stake. The main question was as to how the neutrality of the United States would be interpreted by the Administration in a changing world situation.

In his address of August 8, 1932, Secretary of State Stimson said that "war is no longer the principle around which the duties, conducts and rights of a nation revolve. Hereafter (because of the existence of the Paris Pact), when two nations engage in armed conflict, either one or both of them must be wrongdoers, violators of the general treaty. We no longer draw a circle around them and treat them with the punctilios of a duelist's code. Instead, we denounce them as lawbreakers."¹³ These words seemed to overestimate the Paris Pact that had been weakened from the beginning by the various reservations appended thereto, as well as by the fact that the criteria of justified defensive wars remained unspecified. Yet, the categorical tone of Stimson's utterances pointed to the problems to be faced. The signatories of the Paris Pact were called upon to condemn the "lawbreaker". But, then, what were the ways and means of such condemnations, and how their effectiveness was to be secured? Could there be any difference between neutral and non-neutral signatories? If not, and their obligations under the Pact should be considered as identical, would then change the legal status of the neutrals? Could a country remain neutral at all? And, finally, would it be conceivable to talk about neutrality when a nation would *not remain impartial* in respect of international conflicts, but would distinguish between aggressor and victim?¹⁴

However, the foreign policy of the Roosevelt Administration was not put to a test by the Far Eastern situation. It was the two British pro-

posals concerning disarmament which required immediate action. While in respect of the developments in North China the Administration confined its activity to applying the non-recognition principle to Manchukuo, moreover it even ceased to lodge protests with Tokyo,¹⁵ the disarmament proposals required a different approach, and left no time for a policy of wait and see. Essentially, the Henderson proposals amounted to the following. In case of a violation of the Paris Pact, the signatories of a treaty would, in consultation among themselves, come to a decision regarding the steps to be taken, and would give up their rights to trading with the aggressor, or would not interfere with the restrictive measures of collective security, imposed on the armaments purchases of the aggressor.¹⁶ Thus, the Henderson proposals endeavoured to induce the United States to undertake concrete obligations within the system of collective security, so that, in possession of American obligations, the United Kingdom should be able to grant, in turn, the necessary support to France, required in the face of the danger of German demands for equality in armaments. On the other hand, the MacDonald Plan contained concrete proposals regarding armament limitations, too, which were to replace the respective provisions of the Paris Peace Treaties. The Plan of the British Premier also envisaged consultations among the signatory states of the Briand-Kellogg Pact, and prescribed that the consulting governments would fix the responsibility of the nation guilty of the violation of the Pact; the respective decisions would be binding if the United States, the United Kingdom, France, Germany, Italy, Japan, the USSR, and some other states would concur (except the parties involved in the dispute).¹⁷ The security considerations of the MacDonald Plan were identical with those of the Henderson proposals.

The aim of both plans was to win the United States over to the cause of collective security. Washington was, in fact, invited to abandon a mere "consultative" status, and to commit itself to sharing the burden of defending world peace. Thus, America would have given up the impartial attitude towards world conflicts, and would have become a partner in determining the aggressor.

The political dilemma, combined with economic interests, was characterized by Hull as follows: "If Germany or Italy became an aggressor and the other nations imposed sanctions, would we still uphold our rights as a neutral and our traditional policy of freedom of the seas? Would we insist on maintaining commerce with Germany or Italy and permitting our citizens to export arms to them?"¹⁸ This concise statement presented a vivid description of the crisis of American neutrality which had culminated between 1914 and 1917, and which, after a pseudo-standstill of the postwar era, came back with renewed gravity in the years of growing political tension of the thirties.

The problems of American neutrality may be traced back to the Neutrality Proclamation of George Washington of April 22, 1793. As Washington put it, "the duty and interest of the United States require that they should, with sincerity and good faith adopt and pursue a con-

duct friendly and impartial toward the belligerent powers".¹⁹ According to this statement *impartiality* should be the first and foremost obligation of a neutral state. The objective, under the conditions of the nascent United States, was to safeguard sovereignty and avoid involvement in foreign political entanglements. This interpretation of neutrality did not distinguish between belligerents, and, unlike the concept of Grotius, did not ponder as to which party to a conflict was on the "right" side, and was thus waging a just war on the enemy. Impartial neutrality was a vital necessity for the young state. This fundamental norm of American foreign relations had been justified as long as the political and economic consolidation of the United States had been the order of the day, but when the country gradually reached the stage of monopoly capitalism where the objective course of events came to demand the removal of the contradiction between a world-wide economic expansion and the avoidance of political entanglements abroad, this principle of neutrality became something of a cumbersome inheritance. As Allen W. Dulles put it, "the world was being too interrelated economically to permit one great deal of it to stay outside".²⁰ Another American author was more outspoken. He stated that the doctrine which originated in conditions of the 18th century "...was... based upon the misconception that political isolation and economic infiltration were possible".²¹

While Wilson and other American statesmen attempted to justify the belligerent status of the United States by asserting that America went to war for the causes of peace and democracy, the economic side of the abandoned impartiality of American neutrality of the pre-1917 period was explained by Spring-Rice, British Ambassador to the United States, in a letter to Foreign Secretary Grey as follows: "The brutal facts are, that this country (the United States) has been saved by the war and by our war demands from a great economical crisis".²² America's entry into war in 1917 put an end to the state of affairs which had been said by Wilson, in his address of October 1916, to be intolerable for neutrals. At the end of the World War, however, the United States repudiated the interpretation of neutrality that had been adopted between 1914 and 1917. The problems of neutrality of the Republican era differed from those which had been valid in the pre-1917 period, and also the role of the United States in world politics, a country that had not become a member of the League of Nations, was fundamentally different. According to the Wilsonian concept the League of Nations ought to have functioned as a world organization, and as such it would have ignored neutrality, for all its members would have been bound to observe the Articles of the Covenant which made no mention of neutrality.²³ The League, however, did not become a world organization so that the problem of neutrality came up as an issue confined to its members. The application for membership of Switzerland was the first to put the League in a dilemma in this respect. In February, 1920, the Council of the League ruled that "the conception of neutrality of the members of the League is incompatible with the principle that all members will be obliged to

cooperate in enforcing respect for their engagements".²⁴ Nevertheless, in view of the unique status of that country, Swiss neutrality was declared, as individual exception, to be reconcilable with the Covenant. At the same time, the resolution of the Council was a warning to the effect that the League expected its member states to observe the provisions of the Covenant in an unequivocal manner, and that the international organization did not recognize the right of its members to be neutral. On the other hand, the League had to reckon with the existence of non-member countries, too, because the efficiency of the collective sanctions, to be imposed in case of emergency, might have depended to a significant extent on the attitude of non-member states towards the conflict, particularly in respect of their trade relations with the country hit by the sanctions. This fact was recognized in the course of the debates relating to the interpretation of Article 16 of the Covenant. A report of a special committee expressed in August, 1921, the concern about the fact that "so long as great exporting countries remain outside the League, the application of Article 16 in its entirety would not merely meet with great obstacles, it might even put the states Members of the League in very embarrassing situations".²⁵ The allusion clearly pointed to the United States, and revealed the fundamental structural weakness of the League system. One of the main factors of the system's vulnerability was the absence of the United States from the League. The said report stated elsewhere that "Article 16 should not be so rigidly applied as would have been proper, had the League been universal".²⁶ This statement demonstrated that the actions of the Geneva institution were likely to be foredoomed to failure.

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The world political changes that had begun with the attack on Manchuria in 1931 demanded a reconsideration of American neutrality. The cracks of the Versailles—Washington treaty system had become visible, at first on the Washington pillar of the system, and soon thereafter the Hitlerite accession to power threatened to destroy the entire system. In view of the futility of the League's resolution on the Japanese attack, and in a situation which was aggravated by the foreseeable dangers of the Nazi regime, the American neutrality had to be adjusted to the new circumstances. The sterile nature of the Stimson Doctrine had to be admitted tacitly. The requirement of impartiality seemed to become a dead-weight. A new version of neutrality was needed, to facilitate the process of America's becoming an active factor in world politics, by supporting the nations defending the status quo against the violators of treaties. At the same time, the new version of neutrality was to protect the United States, as heretofore, from being drawn into international conflicts. "Partiality", the distinction between "right" and "wrong" sides, i. e. criteria of neutrality which had been considered previously as contradictory to the very essence of neutral conduct itself, became again subjects of heated debates.

Of course, a reappraisal of traditional -- pre-1914 -- American neutrality required Congressional approval. The Hoover Administration submitted a bill which envisaged wide powers for the President who, in case of armed conflicts, could have imposed, at his discretion, an embargo on the exportation of arms *for belligerents as designated by him*. The surrender of impartiality was regarded by the opposition of the bill as a violation of neutrality. There was no time left for the Hoover Administration to defend the bill. The Roosevelt Administration, trusting that the initiative of the predecessor in office would not be opposed by Republican Congressmen while the Democrats would in all probability support it, reintroduced the bill in the beginning of April, 1933. The Senate, however, adopted a proposal of isolationist Senator Hiram Johnson which drastically changed the bill. The bill, as amended, rejected the discretionary powers proposed for the President which would have enabled him to prohibit the exportation of arms to aggressor states. The modified version of the bill required the President to prohibit arms shipments to *all* parties to the conflict in question. The amendment was based on the spirit of impartiality, and deprived the bill of its "teeth". Consequently, the Administration withdrew it from the Congress. In its amended version the law would not have served the original intention of the Administration which was to stop the aggressor.²⁷

Thus, the experiment of the Administration, which was made for the sake of re-interpreting American neutrality, failed. It was the first foreign policy step of Washington, which -- in case of success -- could have laid the foundations of a collaboration with the international forces interested in the preservation of world peace. The experiment was, however, inconsistent, in that the re-interpreted neutrality policy would have excluded the Sino-Japanese conflict which had been the first to throw a fire-brand into the atmosphere of international politics.

The two British proposals which had been received by Washington in respect of disarmament problems were answered on April 25, 1933. The substance of the answer was that the United States would have preferred disarmament on a worldwide scale, as opposed to disarmament confined to Europe, and would not be ready to participate in the condemnation of the aggressor, nor in measures aimed at fixing its responsibility. At the same time -- and this was a new element -- Washington declared that the United States would not take measures which might hamper collective actions against the aggressor.²⁸ This standpoint indicated that Washington's decisions, if any, would be independent at all times of those of such countries which would impose sanctions; hence the United States would not become a party to the actions of the said countries. The reason why Washington emphasized the independence of American decisions was that the State Department was convinced that the collective measures would be taken under the aegis of the League, and the appearance of the Administration's intention to strengthening the relations with the Geneva institution had to be avoided. On the other hand, the Administration promised not to raise difficulties in respect of the

collective sanctions to be imposed upon the aggressor by other states, if it concurred with the gist and main conclusions of the decisions thereof. In suggesting a worldwide disarmament programme, as opposed to a regional one, the Administration acted in conformity with its interpretation of America's role in international affairs. The foreign policy of the Roosevelt Government was intended to cover the international scene as a whole.

Washington's communication was double-faced. In referring to independent American decisions, the international commitments of the United States were in fact repudiated, which was meant to placate the isolationists. On the other hand, the prospect of "green light" regarding collective sanctions promised tacit support for countries which would be engaged in the fight against the aggressor. This prospect encouraged those who held out a hope of American participation in efforts to safeguard peace.

Roosevelt's letter of May 16, 1933, addressed to the heads of 54 states, reflected the same spirit. The President proposed a non-aggression pact to all nations, and suggested to assume an obligation regarding armaments limitation. Roosevelt had Germany in mind when he warned that if a strong nation should block the international efforts, "the civilized world... will know where the responsibility lies".²⁹

The American public opinion watched carefully the actions of the Government, which was conscious of the fact that the mood of the country was against involvements in international political complications. Roosevelt made clear to the press that the acceptance of the MacDonald Plan would in no way hamper American liberty of action, the planned consultative pact for disarmament would not entail a political rapprochement to Geneva, and there would be no change in respect of the substance of American foreign policy.³⁰ Despite its firm tone, the May 16 message of the President did not contain reference to concrete measures in case of aggression, and Roosevelt's statement regarding the responsibility of the aggressor was akin to his frequent moralizing utterances. Yet, it should be borne in mind that the President was not in a position to carry things farther, for the Administration was just defeated in the Senate on account of the arms embargo proposal.

In his Memoirs Hull pointed out that Japan was included in Washington's proposals which were submitted to the Disarmament Conference.³¹ In reality, however, no substantial measures were taken by the Administration, in 1933 and 1934, respecting Japan. The position of the Administration was, to be sure, eased by the fact that even the United Kingdom, which had much to lose in the Far East, refrained from action in that area.³² The League, on its part, considered the case of the Japanese advance in North China as definitely closed. Thus, in the absence of an effective international forum, and under the influence of an opportunist Far Eastern policy of London, the American Administration could but reiterate the Stimson Doctrine. Concrete steps, however, failed to follow.³³

The American standpoint was expounded at the Disarmament Conference by Norman Davis, Delegate of the United States. In a comprehensive statement, submitted to the Conference on May 22, 1933, Davis summarized once more the official attitude of his Government towards the most pressing problems of world politics. The United States was prepared, he said, "to bring all armies down to the level of domestic police forces; to accept the MacDonald plan; to consult with other nations in the event of a threat to the peace; to refrain from any action tending to defeat a collective effort of the nations against a nation guilty of a breach of the peace in violation of its international obligations, provided that... we concurred in their judgment; to assist in formulating a system of supervision of the nations' armaments".³⁴ The American proposals, which were made contingent on a substantial reduction of armaments within the framework of an international agreement, represented the limits beyond which the Administration was unable to go, on account of the decision of the Senate and the pressure of public opinion. The majority of the population could not grasp the complications of world politics, and the attention of the man in the street was concentrated on the slow, painful process of economic recovery. Another factor that contributed to the opposition of the public opinion to international commitments was the repudiation of foreign debt payments to America. The average American did not want to be involved in international politics. In an atmosphere of this kind it was difficult to answer the question as to how the Administration would be able to comply with its obligations, viz. not to take any action "tending to defeat a collective effort of the nations" against the aggressor.

The above promise of the Administration was formulated in expectation of a positive action of the Congress. This was, however, not forthcoming. Abstaining from measures against collective sanctions could not have been confined to watching the latter. In reality, it would have amounted to more than that. The United States could not have insisted on the traditional neutrality doctrine of the freedom of the seas, and would have been compelled, *despite her neutrality*, to abandon trading with the aggressor. In other words, the United States would have prohibited the delivery of all goods to the aggressor which that country could not have acquired, on the strength of the sanctions, from other sources. The Congress rejected this concept.

The developments in world politics indicated that Washington would have to live up to its promises. Berlin turned down a joint American – British – French – Italian plan which envisaged, in the course of two four-year periods, the testing of German behaviour and the reduction of armaments of the former Allied Powers, but declined German rearmament. Germany left the Disarmament Conference on October 14, 1933, and withdrew from the League a week later. The solution of Germany's equality in armaments, within the framework of an international agreement which was based on compromise and the reduction of armaments of the former Allies, came to nothing.

The Roosevelt Administration did not want to run the risk of being attacked by the public opinion which was increasingly made uneasy by the press. It was rumoured that the United States would take sides with the former Allies, and would form a united front against Germany. A French press organ published news to the effect that a preventive war would be waged with American support.³⁵ Davis was instructed to avoid talks on disarmament with few persons, and was advised to discuss such questions with a dozen or two of people.³⁶ This overcautious instruction was complied with by Davis when he gave a statement to the press, and declared that the United States was "in no way politically aligned with any European Powers", and "unity of purpose... has been entirely on world disarmament matters".³⁷

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In autumn of 1933 the time was considered as ripe for implementing the objective of the 1932 Democratic platform regarding the cooperation with nations of the Western Hemisphere. The recent international developments — the failures of the World Economic Conference and of the Disarmament Conference — proved that it would be illusory to expect a normalization of the international economic and political situation. The growing tension in world politics, the darkening of the international political horizon, moreover the slow process of the American economic recovery, warned the Administration of the urgency of its tasks in the Western Hemisphere. The pacification of Latin America could be no longer postponed. It was held in the State Department that a consolidated system of inter-American relations that would be based upon the Good Neighbor policy would provide a lever by which worldwide actions of Washington, first of all in the field of foreign trade, would be promoted.

The Roosevelt Administration had to get a foothold on a field that had been devastated during past decades by the interventionist foreign policy and foreign economic policy of the predecessors. It was by no means an easy task to find a *modus vivendi* with Latin America. The vanguard of anti-United States sentiments was Argentina, hence the first task of Washington was to improve the relations with that country, on the occasion of the coming Pan American Conference. It was the intention of Hull to have the Briand-Kellogg Pact signed by Argentina. This appeared feasible in exchange for the adherence of the United States to the Saavedra Lamas Pact. The initiative of the Argentine Foreign Minister was rejected by the Hoover Administration on account of its parallelism with the Briand-Kellogg Pact. The rivalry between the two documents, which were to serve fundamentally the same purpose, had its roots in American — Argentine antagonism.

The Saavedra Lamas Pact, which had been originally meant for the relations between Argentina and Brazil only, was signed on October 10, 1933, by six Latin American states, viz. Argentina, Brazil, Chile, Mexico,

Paraguay, and Uruguay. The signing took place shortly before the opening of the Seventh Pan American Conference. The document reflected the efforts to combine the principles of (i) condemnation of war, (ii) non-recognition of territorial expansion by use of force, and (iii) application of sanctions. The Pact, built on the elements of the Briand-Kellogg Pact, the Stimson Doctrine, and the Covenant of the League, contained a significant new element, too, namely the neutrality. The signatories of the Saavedra Lamas Pact adhered to the document *in their capacity as neutrals*. The signing of the Pact indicated the emergence of a Latin American neutral bloc whose members were, except Brazil, member states of the League of Nations as well. The conclusion of the Pact demonstrated the settled conviction of the signatory states that the objectives of the new document were unattainable within the League system which, on the strength of its basic concept, ruled out neutrality. Still less were attainable those objectives under the Briand-Kellogg Pact which provided no machinery for its implementation, moreover it was regarded as a Washington product in Latin America.

The conclusion of the Saavedra Lamas Pact was prompted, in addition to the said rivalry, by the unresolved problems of Article 16 of the League Covenant, the main factor of the weakness of the political activity of the Geneva institution. The new element of the Pact was included in Article 3. It provided that in case of non-compliance by any state, engaged in a dispute, with the obligations contained in the foregoing articles, the contracting parties "will adopt in their character as neutrals a common and solidary attitude; they will exercise the political, juridical or economic means authorized by international law; they will bring the influence of public opinion to bear, but will in no case resort to intervention, either diplomatic or armed..."³⁸ Thus, the Pact, contrary to Article 16 of the Covenant, ruled out military sanctions against the aggressor. This was in line with the interpretation of neutrality of the signatory states.

The Pan American Conference was opened in Montevideo on December 3, 1933. Hull secured with skillful diplomacy the help of Saavedra Lamas. The Argentine Foreign Minister was promised the adherence of the United States to his Antiwar Pact, in return for sponsoring a draft resolution regarding the ratification of five international conventions which had been concluded years ago. One of them was the Briand-Kellogg Pact.³⁹ The Conference expressed its willingness to ratify the conventions. Another draft resolution was also accepted, and this was of particular importance to Hull, since this covered his favourite subject, the liberalization of foreign trade. Immediate achievements in latter respect could not be expected, however.⁴⁰ As for Latin America, it was a convention regarding the rights and obligations of the 21 American states which was of utmost importance, in that the United States approved a text which declared intervention in the internal or external affairs of another country on the continent as unlawful.

The Montevideo Conference can hardly be considered as a landmark in the development process of American neutrality policy. The Senate approved in July, 1934, the adherence of the United States to the Saavedra Lamas Pact which thus ceased to be a Latin American convention. Moreover, some European countries joined the Pact, too. The growing number of the adhering states did not contribute, however, to the efficiency of the Pact. The initiative of the Argentine Foreign Minister (a prospective Nobel Peace Prize winner) was doomed to failure, just as it happened to the Briand-Kellogg Pact. Neither of the two documents influenced actively international politics. Moreover, despite the Montevideo obligations, the ratifications of the Briand-Kellogg Pact fell short of the expectations.⁴¹

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On November 17, 1933, the United States established diplomatic relations with the Soviet Union, and put an end to an anachronistic state of affairs that had lasted for sixteen years. In December, 1934, the Soviet Government put forward a proposal to the effect that the United States support a project for the establishment of a permanent disarmament organization, with a seat in Geneva. Foreign Commissar Litvinov's argument was that the Briand-Kellogg Pact made no provision for a machinery for consultation, and the projected organization would offer a forum to the United States, where the views of the American Administration could be presented. However, for fear of isolationist attacks, Washington turned down the proposal.⁴² The rejection of the Soviet initiative, which was aimed at strengthening the system of collective security, was a concession to the isolationist forces that gained ground in 1934. Furthermore, it intimated evasion of an unequivocal American foreign policy and of Washington's international obligations. The Administration was on the defensive, and its position was made more difficult by the activity of the so-called Nye Committee, headed by Gerald P. Nye, a leading isolationist Senator. The Committee exposed hidden international contacts and war profits of munition makers, unbridled machinations of war boom beneficiaries, corruption of Government officials, American support to German rearmament. These were appalling news. The exposures of the Nye Committee led to far-reaching conclusions, and the man in the street came to believe that the alleged findings of the Committee put the antecedents and causes of America's 1917 entry into war in another light. All this gave a fresh impetus to attacks on Wilsonian policies. By the time the Nye Committee completed its protracted hearings and put forward its report, the public, manipulated by the press, was convinced of the need of energetic measures, with a view to preventing the machinations of bankers and arms manufacturers, who came to be considered as makers of the past and perhaps of the coming war.⁴³

The approaching danger of future conflicts, along with that of unavoidable American involvement therein, became daily subjects of the

excited public, while the politicians who were opposed to the measures of the Administration made capital out of the mood of the public. It was in this atmosphere that a telegram of the League Council reached Washington which informed the Administration of the League's intention to imposing an arms embargo on Paraguay and Bolivia. The two countries were engaged in the bloody Chaco war at the time. The telegram of the League inquired about the attitude of the United States towards the intended measure.⁴⁴ The League's suggestion was in line with the stand of the Administration⁴⁵, with previous American steps that had been taken with a view to checking the Chaco war, and harmonized with the mood of the Congress, too. On May 23 and 24, 1934, the Congress approved the draft resolution concerning an arms embargo to be applied in respect of both belligerents. Thus, the American decision was in conformity with the League's suggestion. It was also in line with the principle of the impartial attitude of a neutral state and with isolationist sentiments that dominated the overwhelming majority of the American people. The decision, however, was to be tested within short. Paraguay was dissatisfied with the League's action regarding the settlement of the dispute, and left the international organization. As a next step, the League suggested that the embargo should be confined to Paraguay. The Administration, however, was of the opinion that such a step was foredoomed to failure. In view of the insistence of the Congress on impartiality, the idea to get the "partial" version of neutrality adopted seemed impracticable. It would have been futile to submit a bill that would have empowered the President to apply the arms embargo at his discretion; the Congress had already repudiated in 1933 the idea of "partial" neutrality.⁴⁶

The period when the isolationist mood was on the increase was not suitable for enforcing a decision in respect of the adherence to the World Court. Yet, the Administration made an attempt to this effect, for it put trust in favourable chances of this protracted case. The wording of the 1932 Democratic platform was rather cautious in this respect; it envisaged adherence to the World Court "with appending reservations." The wording hinted at the fact that the adherence to the Court was linked up with the basic problem of American foreign policy, with that of non-involvement in the League's political affairs. The reservations were to make sure that this principle would not be jeopardized. The decisive thing was to convince the Congress to this effect. The action of the State Department was supported by a compromise which had been drawn up by international jurists. This seemed acceptable to the international institution at The Hague, to the State Department, and presumably to the majority of the Congress, too. It was hoped by the State Department that the Court would no longer be considered as a back-door admission to the League.⁴⁷

The vulnerable spot of the Administration's bill was, as Roosevelt put it in his message, sent on January 16, 1935, to the Senate: "The sovereignty of the United States will be in no way diminished or jeopardized

by such action".⁴⁸ However, the bill could not get the necessary two thirds majority of votes in the Congress, a fact that was due to the rising tide of isolationism. As a consequence of the attitude of the Congress the United States did not become a member of the World Court. Public opinion abroad, which was stirred up in those days by the unilateral repudiation by Hitler, on March 16, 1935, of the military provisions of the Versailles Treaty and by the introduction of conscription in Germany, regarded the decision of the American Congress as a sign of the spread of isolationism in the United States. It was not difficult to link up the Washington decision with the tendency of the so-called Johnson Act which had come into force a couple of months before. The Act of April 12, 1934, forbade the extension of credits to countries which were in default on their war debts. The aim of the Act, named after isolationist Senator Hiram Johnson, was to punish recalcitrant debtors. Chief debtors were actually the United Kingdom and France, potential allies of a more active American foreign policy. The Johnson Act could be easily interpreted as a repudiation of the financial side of international cooperation, as financial isolationism. The disappointment on the other side of the Atlantic was, however, not without antecedents. The debtor countries, hit hard by the Johnson Act, had to remember that the Democratic Party had committed itself, as early as 1932, to carry on the policy of the Republican era concerning war debts. The declaration, included in the Democratic platform, regarding the opposition to the cancellation of the debts amounted, in fact, to a promise that the Democratic Party would refrain from treating debtors in a more magnanimous manner than its rival had done. This time, however, it was not only the consistent attitude of the creditor which was stressed. The tendency of the Johnson Act indicated the desire to retaliate.

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1935 was a landmark in the development process of American neutrality. The landmark almost coincided in time with the turning-point of American foreign economic policy. The new era began on June 12, 1934, when the Reciprocal Trade Agreements Act went into effect. Though the two processes of American foreign policy and foreign economic policy were progressing independently of one another, and were obeying their own laws, their development trends did have a common feature. More attention was being paid, in respect of both, to international events and opportunities. As from 1934-1935 increasing importance was being attached to foreign relations in American politics and economic policy. The causes were the rapid deterioration of the international situation on the one hand, and the gradual recovery of the domestic economy, on the other. Both processes suggested that the United States would have to assume a greater share of responsibility for the future of the political and economic relations throughout the world, and a more active foreign

policy and foreign economic policy would serve specific American interests as well. At the same time, the growing tension connected with the New Deal, first of all the strengthening opposition in respect of the two basic New Deal laws — the Agricultural Adjustment Act and the National Industrial Recovery Act — which reached the level of the Supreme Court, warned the Administration not to go too far in the struggle with conservatives and isolationists.

The balance-sheet of 1933–1934 demonstrated the fact that the Government and the Congressional majority differed only in respect of the ways and means of foreign policy. The main goal was conceived identically in the White House and at Capitol Hill, respectively. The main goal, it was asserted, was to keep out of war. This goal, along with the limitation of war conflicts in foreign countries,⁴⁹ were considered as attainable under the circumstances of the deteriorating world situation by way of depriving the belligerents of American arms shipments. It was assumed that the denial of the American war potential would be sufficient in itself for defending the political interests of the United States, and for limiting world conflicts. The State Department held that a flexible embargo policy, to be imposed on the aggressor, would be the proper instrument of implementing the Administration's foreign policy. On the other hand, the majority of the legislators who had already recovered from the blows of the Depression and were no longer prepared to approve all the initiatives of the Administration, rejected the idea of Presidential powers to apply the embargo at the Executive's discretion. The Congressional majority insisted on the principle of a mandatory embargo, and interpreted the role of the Executive as his duty to proclaim, in case of war, the prohibition of arms exports to all belligerents. The two concepts were linked up with the League, in one way or another. The Administration frequently emphasized the independence of its foreign policy decisions of the League's actions. This was to demonstrate the determination to continue to refrain from backing the political activities of Geneva. The Congress wanted the same, but one of the reasons why the discretionary powers of the President were repudiated by the majority at Capitol Hill was the suspicion that such wide powers might be employed for supporting the League's policies.

The battle between the Administration and the Congress was fought on the pretext of neutrality. It was the meaning of neutrality which was scrutinized on both sides, with the aim of adjusting the content and implementation methods of neutrality to the conditions of the fourth decade of the 20th century. In reality, however, it was the said main goal which was at stake. The utterances of former Secretary of State Stimson reflected the confusion that dominated the debates on, and the differing interpretations of, American neutrality. Stimson stated in 1935 the following: "When the average man speaks of neutrality he often confuses it with impartiality. It may mean just the opposite. If the war involves a great sea power which controls the sea... it may mean that by remaining neutral we are in effect taking sides with that

power against its opponents who do not control the sea..."⁵⁰ The logic of these words, which pointed to the direction of future conditions of the 1939-1941 period, suggested the "partial" version of neutrality, a version that was considered by some, amidst debates on the concept and practice of neutrality, as a surrender of neutrality itself.

The sharp divergence of views demonstrated the fact that American neutrality again reached a state of crisis. The clash of opinions warned that it was no longer possible to go back to conditions of some periods of the American past, in order to interpret a notion that came to be a matter of daily politics. It became manifest that the solutions that had been valid in the past proved to be useless as analogies under totally different conditions of the thirties of the 20th century. Amidst the debates on neutrality diverging views were struggling with one another, and were emphasizing different aspects of the problem. International jurists, politicians, publicists, came to be engaged in analyses of the rights and obligations of neutrals. They were pondering the chances and the value of neutrality, under existing and coming international conditions, and were considering the feasibility and limits of the actions of the Administration. Doubts were raised in respect of the traditional principle of the freedom of the seas, under which trade with the belligerents would be maintained, excluding goods that were contraband. Opinions were voiced to the effect that it was no longer feasible to insist on this fundamental principle of neutrality and to keep out, at the same time, of war conflicts. The experiences of the World War seemed to justify the views of those who maintained that the belligerents did not, and would not, respect the rights of the neutrals. An author came to the conclusion that in order to defend neutrality rights the United States will have to be prepared to fight for them, and this will mean war. The recognition of the inherent weakness of the position of the neutral state gave rise to ideas according to which an effective protection from involvement in war would require a total ban on the export of all goods destined for belligerents. A somewhat milder version of this concept was the idea of a quota system which was to lessen the war potential of belligerents; the quotas of American goods to be exported to belligerents were to be confined to peacetime levels.⁵¹

From the whirlpool of conflicting views there emerged an important consideration. It came to be realized that American neutrality was, at all times, a changing category determined by the processes of history, whose content, interpretation and methods were products of given conditions. Consequently, it became clear that neutrality served, in the course of American history, political ends, and its value, success or failure were always gauged in relation to the ends served.

It was against this background that the State Department began to study the questions of neutrality in June, 1934. By December a draft bill was completed, but Hull advised the President that in view of the great diversity of opinion further studies were needed.⁵² The Secretary of State did not conceal his opinion that, on the basis of the experi-

ences of the World War and in a world situation when the existence of the League of Nations was a fact to be reckoned with, the concept of neutrality was bound to undergo a modification. However, the complicated nature of the problem did not hold up the preparatory work of the State Department, for the isolationists in the Congress were about to introduce their own bill. The State Department was forced to fall into line with the opposing camp, and introduced its own draft bill on July 31, 1935. Substantially, it was a repetition of the experiment that had failed in the spring of 1933. On August 7 the appropriate committee of the Senate rejected again the draft of the State Department. The discretionary powers of the President were once more denied to the Executive.⁵³ The decision of the Senate became a permanent feature of the neutrality legislation of the thirties. The United States was to maintain even after the outbreak of World War II, until Pearl Harbor, the impartiality. Yet, impartiality existed in the period between 1939 and 1941 on paper only.

On the threshold of the Italo-Ethiopian conflict, which seemed inescapable, Hull again made an attempt to secure the enactment of an Arms Embargo Resolution. Pittman, Chairman of the Senate Foreign Relations Committee, refused however to sponsor the initiative of the State Department which was confined this time to Italy and Ethiopia. Instead, he introduced his own draft. The race between the State Department and the Congress ended up in the victory of the latter; the so-called Pittman Resolution was approved by the Congress in three days. The only thing the State Department was able to attain was that the arms embargo section of the Resolution was to be valid for six months only. Thus, the measure, known as the First Neutrality Act of August 31, 1935, was in this respect a provisional one.⁵⁴ Despite the fact that the spirit of the Act, especially the mandatory arms embargo, was at variance with the intentions of the Administration, and that the inflexible provisions of the measure meant, in the opinion of Hull, "an invasion of the constitutional and traditional power of the Executive",⁵⁵ it would have been unwise, on the threshold of the Italo-Ethiopian conflict, to veto the Act. A Presidential veto would have intensified the antagonism between Administration and Congress. On the other hand, Hull opined that in the event of the outbreak of an Italo-Ethiopian war the arms embargo, to be proclaimed in respect of both parties to the conflict, would affect Italy more adversely than Ethiopia, for the former, despite her stronger financial position, would be deprived of America's arms and ammunition. Thus, the embargo would operate, in fact, in a "partial" way.

Roosevelt made clear, on signing the Act, that its inflexible nature, in that it made provisions for unforeseeable situations, might have the effect on the United States contrary to the intentions. "The inflexible provisions might drag us into war instead of keeping us out", he said.⁵⁶

In the weeks prior to the outbreak of the Italo-Ethiopian war the main preoccupation of the State Department was to avoid the appear-

ance of a collaboration with the League's probable action. It was then that the United States, a pillar of the Briand-Kellogg Pact, refused to invoke the Paris Pact that was considered by the world as an American product. Hoare, Foreign Secretary of Britain, put forward the idea of consultations under the Pact. Hull answered by stating that Washington would not decline an invitation to consult, but "such consultation for any purpose other than a formal invocation of the Pact of Paris by all the signatories thereto for the purpose of mobilizing world opinion might appear to encroach upon the explicit functions of the Council of the League and of the members thereof, and it would therefore appear undesirable to endeavor to utilize the Pact of Paris as a substitute for the Covenant."⁵⁷ The statement of the Secretary of State in fact amounted to an admission of the ineffectiveness of the Briand-Kellogg Pact, and shifted the responsibility upon the League of Nations.

In the first days of the Italian attack, launched without a formal declaration of war, Hull wanted to avoid a coincidence of time of the arms embargo proclamation of the President and of the League's action. Therefore, prior to the receipt of a formal invitation from Geneva to join discussions regarding the application of sanctions, he refused the participation of the United States in the League's deliberations.⁵⁸ Roosevelt and Hull were aware of the fundamental weakness of the embargo which was proclaimed on October 5, 1935. By virtue of the Neutrality Act, the export embargo was inapplicable to essential war materials and other goods indispensable to modern warfare, such as copper, scrap iron, scrap steel, trucks, tractors, oil, etc. As early as October 10, 1935, the President suggested certain additions to the embargo list, but the concept and wording of the Neutrality Act prevented the inclusion of the said items in the embargo list. Thus, on account of its inherent weakness the neutrality legislation played indirectly into the hands of the aggressor. In the absence of legal basis the Administration was compelled to resort to the instrument of the so-called moral embargo, which could not be enforced by the authorities and hence could be easily evaded. Roosevelt and Hull spoke several times on the economic relations maintained by American citizens with the belligerents, and emphasized that the state was not supposed to protect commercial deals with warring countries. The moral embargo meant, essentially, moralizing declarations whose ineffectiveness was clear to all, a fact that had to be admitted by the Administration. The exportation of non-embargoed goods increased considerably. Hull was compelled to speak more bluntly, and stated that the export of non-embargoed goods was contrary to the general spirit of the Neutrality Act.⁵⁹ The warnings of the Administration were based on the assumption that the quantities of goods, coming under the moral embargo, which were exported in excess of the peace-time level, contributed to the lengthening of the war, *but only the excess quantities*.⁶⁰ Washington seemed to ignore the established fact that the Fascist war machine, on account of its very nature, placed *all* quantities of accessible war materials at the disposal of the

war efforts. It should be pointed out that the moral embargo covered oil as well, an item that was not included in the sanction list of the League which went into effect on November 18, 1935. The failure of the moral embargo was demonstrated, however, by the fact that the oil quantities exported by American firms to Italy were doubled in 1935; the increase amounted to some 300,000 tons.⁶¹

The experiences warned the Administration that the ban on exports could be made effective only by means of legislative action. The solution would have been to abandon the moral embargo, and to handle all goods, likely to be used for war purposes, in an identical manner, whether classified as "arms, ammunition" or not. A new law was needed. Since section one of the Neutrality Act was due to expire within six months, little time was left for preparatory work.

The draft bill, introduced on January 3, 1936, was clearly a compromise. The State Department was well informed of the mood of the Congress. Hence, no attempt was made to widen the Presidential powers, but it was intended to restrict the export of essential war materials to peace-time level, by conferring the right upon the President to determine the goods in question, as well as the level over and above the exports would have been prohibited.⁶² By trying to restrict the export of essential war materials to arbitrarily selected peace-time levels the Administration, in fact, curtailed the validity of the freedom of the seas. Hull hinted at the "virtual chaos" of views regarding neutral rights, and pointed out vaguely that the question of neutrality was left "primarily to the countries not members of the collective system".⁶³ This statement suggested that the United States was required to re-interpret the principle of neutrality under changed circumstances.

The draft bill of the State Department met with a stiff opposition in the Congress. Isolationism became a bipartisan issue. The isolationists attacked this time the proposed Presidential powers to restrict the export of selected goods to peace-time levels, on the pretext that the Executive might determine such goods in cooperation with the League. The Administration lost the battle. The period of six months was drawing to its close. It would have been unwise to risk the expiry of section one of the Neutrality Act. The only solution was to extend the validity of the Act until May, 1937.

Thus, the new Act which entered into force on February 29, 1936, did not modify essentially the legal basis of neutrality. The export of essential war materials, other than arms and ammunition, was to be regulated, as hitherto, by the moral embargo. The new Act had three amendments, however. The prohibition of credits to belligerents, who, on the strength of the Johnson Act, had already been deprived thereof, did not make their position worse, as compared with the situation that had existed prior to the signing of the new Neutrality Act. Another amendment required the President to extend the arms embargo to additional countries that might become involved in a war. This was previously a discretionary power of the Executive.⁶⁴ The third amend-

ment exempted from the application of the Act any American Republic at war with a non-American country provided the former were not co-operating with a non-American nation.⁶⁵

However, a minor change in the wording of the Act somewhat increased the liberty of action of the President. According to the 1935 Act the President *was required* to proclaim an arms embargo upon the outbreak or during the progress of war between countries abroad. The phraseology of the new Act ran as follows: "*Whenever the President shall find* that there exists a state of war between, or among, two or more foreign states..." The latter wording thus conferred upon the President the right to determine as to whether a state of war existed or not. As Hull pointed out in his Memoirs, it was this difference in the wording which made it possible for the Administration not to extend the application of the Act to the Sino-Japanese conflict where no war declaration was made.⁶⁶ The argument was, however, rather poor, for Italy did not declare war on Ethiopia either. The embargo which was proclaimed by the President in respect of the Italo-Ethiopian war was based on the following laconic statement: "...Ethiopian and Italian armed forces are engaged in combat thus creating a state of war within the intent and meaning of the Joint Resolution."⁶⁷

The subjugation of Ethiopia was completed on May 5, 1936. On May 8, Hull informally suggested to Argentina to invoke the Saavedra Lamas Pact, and to withhold thereby the recognition of the invasion of Ethiopia. Argentina referred the matter to the League, but the Assembly failed to take action. American non-recognition policy was reduced to mere formalities.⁶⁸ By the time the Ethiopian tragedy was reaching its last stage, the world had to witness another aggression. On March 7, 1936, Hitler denounced the Locarno Pact, and the Reichswehr troops marched into the Rhineland. Two weeks after the League Assembly had voted, on July 4, to end the sanctions against Italy, a Fascist revolt broke out in Spain. The Spanish situation put the American neutrality legislation into an unexpected dilemma.

In the State Department the Spanish situation was reduced to a mere legal problem. The Neutrality Act, namely, did not make provision for civil wars, and was applicable to war conflicts between states only.⁶⁹ On the pretext of non-intervention in the internal affairs of Spain, the Administration did not distinguish between "Loyalists" and "Nationalists". In order to implement its policy in respect of Spain, and to be able to ban deliveries of arms to both parties, the State Department was in need of legislative action. To bridge the gap, the State Department tried at first to apply the moral embargo. The following statement of Hull on the Spanish situation reflected his views in a telling manner: "One of the most serious factors in this situation lies in the fact that the Spanish Government has distributed large quantities of arms and ammunition into the hands of irresponsible members of left-wing political organizations."⁷⁰

The views held by the State Department in respect of the Spanish civil war were different from those which had governed its attitude towards the Italo-Ethiopian war. A year ago Hull acquiesced in the decision of the Congress by stating that the arms embargo would affect Italy more adversely than Ethiopia. The Spanish civil war, however, was not judged in a "partial" manner by Hull. He did not consider Franco as an aggressor, and he ignored the fact that the Spanish Government was defending the democratic, legal order of the country.⁷¹ He even disregarded the fact that an American-Spanish treaty was in force at the time, and that this treaty carried obligations with it. His basic consideration was to cement the cooperation with the United Kingdom and France, and to support the non-intervention policy, but he consistently stressed the independence of American measures. In connection with the policy towards Spain Hull was able to count on the support of the isolationists, too, for Washington's policy was aimed at keeping the United States out of the conflict. On the other hand, the propagandists of an active American participation in international affairs — the so-called "internationalists" — hailed the understanding with London and Paris. Those demanding American support for the Spanish Republic, including American volunteers of the International Brigades, were denounced as "vociferous elements".⁷²

1936 was a year of Presidential election — a factor that was considered as a decisive one when the attitude towards the Spanish civil war was shaped. The Democratic platform promised true neutrality, the avoidance of international political commitments, and ran a race with the Republican platform which condemned the political commitments with almost identical words.⁷³ Roosevelt's victory was interpreted by the State Department as a confirmation by the nation of American foreign policy, including the attitude towards Spain. The developments, however, urged upon the Administration the need for legislative action. In the first weeks of the Spanish civil war the pressure, brought to bear on prospective exporters to Spain, seemed to bear fruit. As a statement of the State Department put it, the planned sales of aeroplanes of American firms to Madrid "would not follow the spirit of the Government's policy".⁷⁴ In December, however, the State Department was unable to refuse an export application which covered a consignment to be shipped to Republican Spain. Roosevelt denounced the behaviour of the American exporter concerned as "unpatriotic, though legal", and promised early legislative action to cover the Spanish situation.⁷⁵ As Hull pointed out, a race developed between the loading of airplanes and Congressional action to stop it. On January 6, 1937, on the very day of its submission, the draft resolution regarding the Spanish civil war was approved by the House of Representatives with only one vote against, and by the Senate unanimously.

After January 8, 1937, the action of the State Department was already based on the Congressional resolution. The export licences which had been issued prior to that date and not fully utilized were revoked,

in respect of the unused part thereof. Further licences were not granted. The quick action was welcomed by Fascist General Queipo de Llano.⁷⁶ Under the new circumstances the efforts of the State Department were concentrated on repudiating the diplomatic interventions on behalf of the Republican Government of Spain, on hindering illegal arms deliveries, and on following with attention the steps of European states.

The first task brought about embarrassing situations. The Spanish Ambassador lodged repeated protests with the State Department. In a note dated November 19, 1937, the Ambassador accused the United States that the embargo on arms represented a breach of the Treaty of Friendship and General Relations that had been signed in 1902. The Ambassador indignantly pointed out that Washington was depriving the legitimate Government of the means necessary to defend itself against those who were challenging authority and law. He also referred to the Chicago speech of Roosevelt, and expressed his hopes that the President's words represented more than "a pious wish".⁷⁷ Hull turned down the protest rather bluntly, cited the Congressional resolution, and left unanswered the Ambassador's charge in respect of the breach of the Spanish-American Treaty.⁷⁸ When the Ambassador of Mexico tried to induce the State Department to distinguish between the legitimate Spanish Government and the rebels, Hull's argumentation was confined to a reference to the recent non-intervention policy.⁷⁹ Roosevelt turned down a Mexican proposal, regarding a mediation between the warring parties, on the assumption that it would be rejected.⁸⁰ A similar proposal of Cuba which invited the United States to participate in a common mediation effort of all American states was received unfavourably, too, and the same happened to a suggestion of Uruguay.⁸¹

The State Department investigated in each case the export applications covering consignments of arms with destinations to third countries. On the basis of informations, gathered from the countries shown in the export applications, licences were refused when the data revealed that the ultimate destination was Spain.⁸² As soon as the German and Italian support, extended to Franco, had become manifest, increasing pressure was brought to bear on Roosevelt for an extension of the arms embargo to the two Fascist states. An extension of the arms embargo would have necessitated, however, the existence of a state of war between Spain and Germany, or Italy, respectively. On the basis of the information received from the London and Rome Embassies of the United States, and on the advice of the State Department, Roosevelt finally abandoned the idea of embargoing arms shipments in respect of the two Fascist states.⁸³

Meanwhile, Congressional debates on neutrality legislation were resumed. What was needed was a comprehensive, permanent law, to replace the provisional one, and to cover the Spanish case, too. On tactical reasons, the State Department did not introduce a draft.⁸⁴ In the course of Congressional debates which lasted from January till April, 1937, the legal basis of American neutrality was widened, and some

new features were added. The most important was the "cash-and-carry" provision which empowered the President, for a duration of two years, to prohibit the exportation in American ships of goods to be designated by him, except arms, ammunition, and implements of war, to belligerents or parties to a civil war. Such goods were transportable, according to the "cash-and-carry" provision, only in ships of the foreign buyer, after their payment had already taken place. The "cash-and-carry" provision reflected the changed situation. The moral embargo failed; the exportation of goods in quantities in excess of the peacetime levels could not be prevented by the Administration. The new law which went into effect as from May 1, 1937, empowered the President to forbid the exportation of such goods in American ships and against loans, but *the "cash-and-carry" provision in effect made possible the purchase of American goods, other than arms, ammunition or implements of war.* The law was thus supposed to be in harmony with the traditional principle of neutrality, for the belligerents were enabled to acquire all kinds of American goods, other than arms etc., so long as they possessed cash and shipping facilities. When explaining the intent of the Neutrality Act the argument, advanced by officials, was that the United States, as a neutral country, was preventing the delivery of goods coming under the "cash-and-carry" provision. The reality, however, was the opposite. Thus, "cash-and-carry" could be hardly interpreted as an instrument limiting war conflicts. The prospect that in case of a European war the "cash-and-carry" provision would assist the case of France and Britain was a comfort to the State Department.⁸⁵

The Neutrality Act contained a provision relating to the application of an embargo to cover exports of arms etc., to parties to a civil strife, in case such exports "would threaten or endanger the peace of the United States".⁸⁶ As from May 1, 1937, the State Department was forbidding on this basis the export of arms to Spain. However, as from 1938, the number of persons who demanded a reconsideration of the American attitude towards Spain increased. It was characteristic of the change of mood of certain circles that it was Senator Nye himself who introduced a proposal in support of the "Loyalist" case. The proposal regarding American permission in respect of arms exports to the legal Government of Spain on a "cash-and-carry" basis was finally wrecked by the attitude of the State Department, despite the fact that it was favourably received in the Congress. Certain circles, also influenced by the Anschluss of Austria, did not give up the struggle for making the embargo "partial". Moreover, there was no uniform attitude towards the Spanish case within the Cabinet itself. Roosevelt was inclined to waive the embargo in respect of the "Loyalists". The efforts of the progressive forces of America were killed by Hull.⁸⁷ The agony of the Spanish Republic put an end to the protracted case. However, Roosevelt had the moral courage to admit, on a Cabinet session on January 27, 1939, that the policy of the Administration towards Spain had been a grave mistake.⁸⁸ Hull, unlike the President, was not prepared to admit

this fact, and even in his *Memoirs* he considered his policy towards Spain as justified.⁸⁹ The United States established diplomatic relations with Franco on April 3, 1939.

The Far Eastern situation bore evidence of the fact that the neutrality legislation left, despite its inflexible features disapproved by the Administration, sufficient liberty of action for American foreign policy decisions. Though the Administration was watching with distrust the actions of Tokyo, it did not modify its policy that had been adopted in 1933. This policy was confined to repeated references to the "sanctity of treaties", to occasional protests, and to self-restraint appeals addressed to the warring parties to the Sino-Japanese conflict. Not even the renewed Japanese aggression that had begun on July 7, 1937, brought about a change in the policy of the Administration towards Japan. When the question arose as to whether the application of the new Neutrality Act was relevant or not, the standpoint of the State Department was in the negative, and the President was advised to desist from proclaiming an embargo in respect of the Far Eastern situation, despite the gravity of the conflict.⁹⁰ The argument of Hull was that an arms embargo would have operated against the interests of China which needed badly the American arms while Japan did not. Thus, the embargo would have hit the victim — a fact that was ignored by Hull in respect of the Spanish civil war. Also the "cash-and-carry" provision would have operated against China, so the argument ran, for that country had no means of payment and no ships to carry, while the position of Japan was the opposite. On the other hand, the beneficiaries of the "cash-and-carry" provision, in case of a European conflict, would have been France and Britain. The argument against the application of the Neutrality Act in respect of the Far East was supplemented by stating that the Administration's conclusion that a state of war existed between China and Japan might have given an impetus to a declaration of war which was allegedly contrary to the intentions of the two parties to the conflict. Finally, Japan might have felt entitled to seize the cargoes of American merchant ships.⁹¹ While blaming the Congress for ignoring the Far Eastern situation when the Neutrality Act had been framed, Hull's argument turned a blind eye to the Japanese aggression, for, in reality, the non-application of the Neutrality Act favoured Japan. The main objective of Washington was to avoid a deterioration of the relations with Japan. All that happened was that the President drew the attention of private ship owners to the risks connected with Far Eastern armament shipments, and forbade to carry such cargoes in ships owned by the state.⁹² Neither the Kellogg Pact nor the 1922 Nine-Power Treaty were mentioned.

As things were going from bad to worse, the Administration was again forced to give evidence of its relations with the League. The American delegate started participating in the revived Far Eastern Advisory Committee, without a right to vote. The Assembly of the League approved on October 6, 1937, the report of the Committee which condemned

Japan for the violation of the Nine-Power Treaty and the Kellogg Pact, and suggested consultations among the signatories of the former.⁹³ In Geneva the Chicago speech of Roosevelt was greeted with enthusiasm, but the domestic, rather mixed, reception thereof⁹⁴ affected adversely the attitude of the American delegation to the Brussels Conference which began its discussions on November 3. The American delegation took pains in avoiding the appearance of a pressure on Japan, and rejected all commitments on behalf of the United States. Hull's instructions to the delegation testified his efforts that were aimed at refuting rumours about American initiatives. The two declarations, adopted at the Conference, reflected, however, American standpoint in the main, and increased the number of futile peace appeals addressed to the aggressive states. As an American delegate wryly remarked, the Conference was discussing ways to end it even before it met.⁹⁵

Washington was conscious of the fact that under rapidly deteriorating world conditions the relations with Latin America deserved special attention. The achievements of the Administration fell short, however, of the expectations. On the 1936 conference of the American states, held in Buenos Aires, Hull wanted to attain concrete results. He proposed to the conference to lay the foundations of a permanent consultative body and a common neutrality policy on the Washington model. Due to passionate Argentine opposition a compromise was reached, and the ideas concerning obligatory consultations, a common neutrality policy, and the permanent body, were dropped. Washington had to be satisfied with a declaration, embodying the principles of inter-American solidarity and cooperation which stated that actions "susceptible of disturbing the peace of America" would affect each and every one of the American nations, and provided for consultations among them according to need.⁹⁶ A declaration that was adopted two years later in Lima reaffirmed essentially the same principles, albeit in a somewhat more accentuated wording.⁹⁷

The developments of 1938 prompted Roosevelt to admit the failure of neutrality legislation. In his message to Congress on January 4, 1939, he said: "There are many methods short of war, but stronger and more effective than mere words." The method the President had in mind was the amendment or repeal of the Neutrality Act, because the Act, he reasoned, might "give aid to an aggressor and deny it to the victim".⁹⁸ The President was right when he spoke with resignation about "mere words", for his appeals which had been sent on September 26 and 27, 1938, in connection with the Sudeten crisis had been of no avail.⁹⁹ Washington, however, did not cease sending appeals to the Fascist dictators, which again proved "mere words". On April 15, 1939, after Germany had swallowed the Bohemian and Moravian territories of the post-Munich Czech state, and after Mussolini had occupied Albania, Roosevelt called upon Hitler and Mussolini to respect the territorial integrity of 31 enumerated countries.¹⁰⁰

Roosevelt's message to the Congress of January, 1939, opened up new vistas. The following measures appeared to be feasible: to eliminate the artificial dividing line between armament shipments and the rest of goods, to repeal the arms embargo, and to place all American exports to belligerents on a "cash-and-carry" basis. The proposal of the State Department, embodying the said measures, got blocked, however, in the Senate, in the course of May. Thereafter the State Department made an attempt in the House of Representatives, but the arms embargo was restored in the draft, on June 30, by the House. The question was taken up again in the Senate which postponed the decision, by a majority vote, until the new session of the Congress which was due to begin in January, 1940. The Congress adjourned on August 5.¹⁰¹ On the threshold of World War II the case of American neutrality reached a state of disaster, as Hull put it. On September 5, 1939, the President was compelled to proclaim the arms embargo in respect of the belligerents, by virtue of the Neutrality Act then in force. The legal pillar of American foreign policy remained, in the first weeks of the war, the 1937 Act the deficiencies of which had been repeatedly demonstrated by the developments of world politics towards the end of the thirties.

The advent of the war gave a fresh impetus to the initiatives of the Administration. Roosevelt summoned the Congress which was to meet in special session on September 21. His message revealed the moral courage of a statesman who was facing a fiasco of the foreign policy he had been approving. He regretted that the Congress had passed and that he had signed the 1935 Act of Neutrality, which — along with the subsequent ones — indicated a departure from the traditions of international law. As an expedient, Roosevelt recommended the repeal of the embargo on arms etc., and declared that in this way "the United States will more probably remain at peace than if the law remains as it stands today".¹⁰² *The President spoke of the failure of the neutrality legislation rather than of neutrality itself.* By way of a renewal of the concept that had been blocked in Congress in the summer of 1939, i. e. to place all American exports to belligerents on a "cash-and-carry" basis, the Administration was still advocating the fiction of "impartial" neutrality. The reason was the isolationist public mood. As Hull said: "It would have been the peak of folly to make aid to the democracies an issue in connection with neutrality legislation."¹⁰³ Hull deemed it advisable to refute in a public statement the allegation that changing American neutrality legislation after the outbreak of the war would be an unneutral act.¹⁰⁴

The draft bill, supported by masterful reasoning¹⁰⁵, won this time the necessary number of votes in Congress. The new Neutrality Act became law on November 4, 1939. The United States finally arrived at an interpretation of neutrality that promised to lay the foundations of a foreign policy consistent with the weight of the United States in world politics, her economic potential, and American commitment to democracy. This was a new interpretation of neutrality, despite the references to

traditions and historical analogies. It was not the precedents which justified this interpretation. The latter was based on a determination that the United States would be supporting the victims of aggression, despite the fact that the Act codified impartiality. In the course of the "phony war" certain attempts were still made on the pretext of neutrality (such as the European tour of Under Secretary of State Sumner Welles, and the plan of forming a bloc of neutral countries). Yet, as from the spring of 1940, the accelerating developments were pushing the United States towards assuming the role of a "non-belligerent" country. The Charlottesville address of Roosevelt stated that the objectives were to augment American defense preparedness and to "extend to the opponents of force the material resources of this nation".¹⁰⁶ This was plain enough. The United States committed herself to assist the antifascist struggle. The main landmarks were the deal of destroyers for British bases, the Lend-Lease Act which solved cash payment problems of the "cash-and-carry" provision, the Atlantic Charter, the abolition of the prohibition of arming American ships. The "non-belligerent" status came to an end with Pearl Harbor.

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The American neutrality policy of the thirties reflected a chronic crisis of the neutrality of the United States. This policy was moving within a kind of vicious circle. The Administration came to discern increasingly the fundamental changes in world politics which reduced American neutrality to an ill-timed, even anachronistic tenet. It came to perceive the novel tasks of the United States incumbent on her as a consequence of her position in the international economy and world politics. Yet, the outcome of its attempts made it manifest that the Administration was, on balance, unable to cope with these tasks. Whether these attempts would be successful at all was to be doubted from the very beginning, on account of two factors. One of the factors was that the Administration had to manoeuvre within an atmosphere of the domestic public opinion, and this public opinion was, in the main, opposed to the efforts of the Government. Isolationism, which was either unable to grasp the changes of world politics or was ignoring them entirely, was looking at world developments in a manner that might be called provincial on a continental scale. Isolationism considered American participation in world affairs as a mere repetition of Wilsonian foreign policies that had utterly failed, and was alarmed at the possibility of American involvement in international conflicts. This concept ignored the fact that America's potential had reached, a good while back, a level which entailed consequences in the international scene. The Administration was compelled to run a race with the isolationist concept, and had to adjust its actions at all times to the foreseeable opposition. Of necessity, the Administration was frequently emphasizing that the goals of American foreign policy were fundamentally identical with those

of the isolationists. These goals were stated to be the avoidance of the dangers of international conflicts and the security of the United States.

The reiterated affirmation of the identity of the basic American goals was, in reality, more than an attempt to take out the wind of the sails of the isolationists. This was the other factor referred to above. The Administration was consistently repudiating the concept of active American participation in world affairs. In other words, it was rejecting a foreign policy that might have committed the United States to actively taking sides with the forces resisting aggression. As late as the critical summer of 1940 Roosevelt still emphasized the principle of "aid short of war". Even the concept of the Lend-Lease Act, passed by Congress in March 1941, embodied the same principle, for the President was empowered to grant Lend-Lease aid to countries whose defense was deemed by him "vital to the defense of the United States". A policy that might have entailed risks of American involvement in foreign conflicts could not have become a guiding principle in Washington, for the considerations of the Administration were based, in the thirties, on the assumption that by depriving the belligerents of American arms — essentially a negative measure — the said basic goals were served, moreover: attained. When World War II broke out the same goals were supposed to be served by making available American arms and ammunition. The basic considerations of Washington were hardly modified by the fact that the Administration intended to apply the arms embargo, throughout the thirties, in a "partial" manner, while Congressional majority rejected "partiality".

The struggle between Administration and Congress resulted in compromise on several occasions. The field of action where the Administration was capable of manoeuvring was rather limited, and made a foreign policy possible that lagged behind the exigencies of world politics and America's potential. The Roosevelt Administration deserves credit for the perception of the main tendencies of historical development. It was unable, however, to draw all necessary conclusions, and commit itself to a consistent antifascist foreign policy. Neutrality, a concept applied when decisions had to be arrived at on the basis of well-perceived facts, as well as the embargo policy, an instrument of this concept, were not consistent with the tasks connected with the main tendencies of world politics, nor with the intentions of some members of the Administration. When it came to implementing American foreign policy, overcautious and, at times, faulty steps got mixed with bold initiatives, but pursuance of the latter was not consistent. The actions of the Administration were constantly hampered, throughout the period under review, by the mentioned main objective, viz. the avoidance of international conflicts. The significance of this objective was overrated, and its increasingly illusory nature was ignored. Pearl Harbor put an end to the illusion. The United States joined the antifascist war, and the Administration was, at last, capable of eliminating the discrepancy between intentions and deeds.

NOTES

- ¹ Arthur Henderson, British President of the Disarmament Conference, submitted his proposal on March 8, 1933. The plan of Ramsay MacDonald, Premier of the United Kingdom, was put forward on March 16. The latter was the official British proposal.
- ² American relations with the League affected even a question of local significance. The League invited the United States to participate in a commission which had been entrusted with the task of devising a plan in respect of a border dispute between Colombia and Peru.
- ³ For a detailed account of the 1933 World Economic Conference held in London, see *I. Láng: A Roosevelt-kormányzat első évének gazdaságpolitikai dilemmája* (Economic policy dilemma of the first year of the Roosevelt Administration), *Századok*, 1974/1, pp. 136–185.
- ⁴ *The Memoirs of Cordell Hull*. New York, 1948. Vol. I. p. 153.
- ⁵ Quoted by *Hull*: *ibid.*
- ⁶ Article 13 of the Covenant of the League of Nations provided that the disputes, unsettled by way of diplomatic channels, should be referred to the World Court, or to any other court agreed upon by the parties concerned. For the text of the Covenant, see *D. Halmsóy: Nemzetközi szerződések 1918–1945* (International treaties 1918–1945). Budapest, 1966, pp. 36–50.
- ⁷ Roosevelt was of the opinion that a public repudiation of the contemporary League could eliminate the discrepancy between his loyalty to Wilson and the requirements of the given situation. On February 2, 1932, he stated in an address to the New York State Grange the following: "But the League of Nations today is not the League conceived by Woodrow Wilson." Quoted by *C. A. Beard: American Foreign Policy in the Making 1932–1940. A Study in Responsibilities*. New Haven, 1946, p. 76.
- ⁸ *V. – Y. Ghebali: La Société des Nations et la Réforme Bruce, 1939–1940*. (Genève), 1970, pp. 91–92.
- ⁹ Quoted by *Hull*: *op. cit.*, p. 387.
- ¹⁰ The United States reverted to the proposal of Briand, Foreign Minister of France, only after a period of six months, and suggested to widen the scope of the proposed bilateral treaty to include all Great Powers, and subsequently all other countries. Consideration of the reservations and remarks of the various governments, as well as the drafting of the Pact, required several months.
- ¹¹ Quoted by *N. Örvik: The Decline of Neutrality 1914–1941*. Oslo, 1953, p. 141. – The hint pointed to the difficulties of implementing the Pact.
- ¹² *Hull*: *op. cit.*, pp. 271–272.
- ¹³ Quoted by *Örvik*: *op. cit.*, p. 140.
- ¹⁴ The connection between the Covenant and the Paris Pact was a subject debated repeatedly within the League, in view of the gaps in both documents. In 1929 the British Government advanced proposals in respect of their harmonization. The delegate of Peru proposed an amendment to the Covenant. This would have had the effect of abolishing the right of member states to remain neutral. Cf. *Örvik*: *op. cit.*, pp. 141–142.
- ¹⁵ *J. W. Pratt: Cordell Hull 1933–44*. New York, 1964, Vol. I, p. 233.
- ¹⁶ *Ibid.*, pp. 72–74.
- ¹⁷ *Ibid.*, pp. 75–76.
- ¹⁸ *Hull*: *op. cit.*, pp. 223–224.
- ¹⁹ Quoted by *Örvik*: *op. cit.*, p. 18.
- ²⁰ *A. W. Dulles – H. F. Armstrong: Can We Stay Neutral?* New York, 1936, p. 88.
- ²¹ *R. S. Baker: Neutrality 1914–1915*. New York, 1935, p. 26.
- ²² *C. Seymour: American Diplomacy During the World War*. Baltimore, 1934, p. 46.
- ²³ Cf. *Örvik*: *op. cit.*, pp. 119–135.
- ²⁴ Quoted by *Örvik*: *op. cit.*, p. 122.
- ²⁵ *Ibid.*, p. 125.
- ²⁶ Quoted by *Örvik*: *ibid.*, p. 127.
- ²⁷ Cf. *Hull*: *op. cit.*, pp. 228–230; *Örvik*: *op. cit.*, pp. 159–161. – Hull was rather circumspect when he defended the draft in the Senate. He stated that the President's intention was to place an embargo on all arms shipments, meant for both parties to the

- Chaco war, viz. Bolivia and Uruguay. Thus, in this respect, the impartiality would have been observed. He also stated that the President's intention was not to proclaim the embargo in respect of the Sino-Japanese conflict. His argument was that an embargo proclamation which would have hit both parties would have been, in fact, detrimental to China only, for that country was in need of arms imports, while the Japanese war industry could have easily solved the problem of arms supply. On the other hand, in case of an exclusively anti-Japanese embargo of arms the Japanese might have blocked the Chinese ports. This argument pointed to the gist of the Administration's policy towards Japan which was to be developed in the coming years.
- ²⁸ Foreign Relations of the United States (hereafter referred to as FR), Diplomatic Papers, 1933. Washington, 1950. Vol. I, pp. 106–107. Hull's instruction to Norman Davis, Delegate of the United States, dated April 25, 1933.
- ²⁹ *Ibid.*, pp. 143–145.
- ³⁰ For the text of the press conference, see *Beard*: op. cit., pp. 126–127.
- ³¹ *Hull*: op. cit., p. 273.
- ³² Sir John Simon, Foreign Secretary of Britain, made the following statement on February 27, 1933: „Under no circumstances will the Government authorize this country to be a party to the conflict.“ Quoted by *Beard*: op. cit., p. 133.
- ³³ In September, 1933, Washington informed the Secretary of the League of Nations as follows: „I am happy to inform you that the views of the American Government with regard to the principle of non-recognition remain unchanged...“ Quoted by *Hull*: op. cit., p. 274.
- ³⁴ *Ibid.*, pp. 227–228.
- ³⁵ *Pratt*: op. cit., p. 90.
- ³⁶ FR 1933, Vol. I, pp. 273–276.
- ³⁷ *Ibid.*, p. 277.
- ³⁸ For the text of the Saavedra Lamas Pact, see *D. Halmosy*: op. cit., pp. 322–327. — The Pact condemned the wars of aggression, obliged its signatories to settle the disputes or controversies by the pacific means sanctioned by international law, further to refrain from violence in connection with the territorial questions as between them, and to refuse to recognize any territorial arrangement that had not been obtained by pacific means, nor the validity of the occupation or acquisition of territories which had been brought about by force of arms.
- ³⁹ The five conventions were the following: Treaty to Avoid or Prevent Conflicts Between the American States (Santiago, Chile, 1923), the Kellogg-Briand Pact (Paris, 1928), Convention of Inter-American Conciliation (Washington, 1929), Convention of Inter-American Arbitration (Washington, 1929), the Saavedra Lamas Pact (Rio de Janeiro, 1933). Cf. *Hull*: op. cit., p. 322.
- ⁴⁰ Half a year later, on June 12, 1934, the Reciprocal Trade Agreements Act, a product of Hull's concept, went into effect. By virtue of the Act bilateral trade agreements were concluded, on the basis of the most-favoured-nation principle, at first with Latin American states.
- ⁴¹ *Pratt*: op. cit., p. 161. — Out of the 21 American Republics it was only the United States and 12 Latin American countries which signed all the five conventions.
- ⁴² *Hull*: op. cit., p. 304.
- ⁴³ For a detailed description of the activities of the Nye Committee, see *A. Nevins*: The New Deal and World Affairs. A Chronicle of International Affairs 1933–1945. New Haven, 1951, pp. 56–61; *Hull*: op. cit., pp. 398–404. — The proposal regarding the investigation of the machinations of munition manufacturers, submitted by Senator Nye, was adopted by the Senate on April 12, 1934.
- ⁴⁴ *Hull*: op. cit., p. 346.
- ⁴⁵ See Note 27.
- ⁴⁶ Cf. *Hull*: op. cit., p. 346–347.
- ⁴⁷ *Nevins*: op. cit., p. 46.
- ⁴⁸ Quoted by *Hull*: op. cit., p. 388.
- ⁴⁹ In his letter, addressed to Bishop Oldham on November 14, 1935, Roosevelt stated that the measures of the Administration were aimed at keeping the United States out of war, and at limiting and shortening the hostilities. For the text of the President's

letter, see New York Times, December 7, 1935. Quoted by *E. Neumann: Die Neutralität der Vereinigten Staaten*. Berlin, 1939, p. 109.

⁵⁰ Quoted by *Örvik: op. cit.*, p. 171.

⁵¹ For a more detailed exposition of the views of some authors on contemporary problems of neutrality (viz. Charles Warren, Philip Jessup, Georg Cohn, James Shotwell, Allen Dulles, Edwin Borchard, Salvatore Catillo, Bernard Baruch), see *Örvik: op. cit.*, pp. 167–171.

⁵² *Hull: op. cit.*, pp. 404–406.

⁵³ *Ibid.*, pp. 410–411.

⁵⁴ *Ibid.*, pp. 410–412.

⁵⁵ Under the Act the President was required to proclaim the arms embargo, in respect of all belligerents, on the outbreak or in the course of the war. He was deprived of the liberty of action in the application of the arms embargo. For the opinion of Hull, see *ibid.*, p. 413.

⁵⁶ Department of State Press Releases, XIII, August 31, 1935, p. 162.

⁵⁷ Quoted by *Hull: op. cit.*, p. 427.

⁵⁸ *Ibid.*, p. 432.

⁵⁹ *Ibid.*, p. 435.

⁶⁰ Hull who had foreign trade at heart was of the opinion that the limitation of American exports to peace-time levels was the proper solution. He was convinced that in this way the United States would not be accused by the trade partners abroad of breach of international obligations.

⁶¹ The United States in World Affairs. An Account of American Foreign Relations 1936. By *W. H. Shephardson—W. O. Scroggs*. New York, London, 1937, pp. 231–232.

⁶² *Hull: op. cit.*, p. 463.

⁶³ *Ibid.*, pp. 463–464.

⁶⁴ According to Julius W. Pratt, biographer of Hull, this amendment "would have had the effect of extending the embargo to England if Italy had chosen to go to war with England over sanctions." *Pratt: op. cit.*, p. 208. — The author seemed to ignore the fact that the British Government's intention was to avoid war with Italy at any price.

⁶⁵ The amendment facilitated Congressional approval of the bill, for it was a gesture toward the Monroe Doctrine, as Hull said. However, it was a risky provision, too. By virtue of the amendment an American Republic, as an aggressor, could have obtained arms from the United States while the victim, a non-American state, would have been deprived thereof. See *Hull: op. cit.*, p. 466.

⁶⁶ *Ibid.*, p. 467. Italics supplied.

⁶⁷ Department of State Press Releases, October 5, 1935, p. 225. — Reference is made to the First Neutrality Act.

⁶⁸ Washington consistently refused to recognize the change in the title of the King of Italy who, after the resistance of Ethiopia had broken down, became by Fascist terminology Emperor of Ethiopia, too.

⁶⁹ For the text of a telegram of the State Department to American diplomatic missions in Spain, dated August 7, 1936, see *Hull: op. cit.* pp. 477–478.

⁷⁰ A telegram of Hull to Roosevelt, dated July 23, 1936. *Ibid.*, p. 475.

⁷¹ "Our policy had nothing to do with our views on the right or the wrong in the Spanish Civil War. We were not judging between the two sides." *Ibid.*, p. 483.

⁷² *Ibid.*, p. 483. — The rigidity of Hull's views was disapproved by many, even by some members of the Cabinet. The Secretary of State refused to issue passports to an ambulance unit which intended to operate on the "Loyalist" side. He gave up his standpoint only when he was vigorously criticized. Cf. *Pratt: op. cit.*, p. 223.

⁷³ *Shephardson—Scroggs: op. cit.*, p. 252.

⁷⁴ *Hull: op. cit.*, p. 478.

⁷⁵ *Ibid.*, p. 490.

⁷⁶ The General's words of praise pointed out that the United States alone among the nations had been scrupulously neutral. FR 1937. Washington, 1954. Vol. I, pp. 223–224. Report of Claude G. Bowers, American Ambassador in Spain, to the Secretary of State, dated January 12, 1937.

- 77 Ibid., pp. 450-453. — In his Chicago speech, delivered on October 5, 1937, Roosevelt denounced international lawlessness, and proposed "to protect the health of the community against the spread of the disease" by setting up "a quarantine of the patients". For the text of the Chicago speech, see *Beard*: op. cit., pp. 184-187.
- 78 FR 1937, Vol. I, pp. 468-469.
- 79 Ibid., pp. 274-277. — The non-intervention policy of the Administration was often criticized by pro-Madrid circles, on the score of the traditional attitude of the United States towards legal governments. The argument was that Washington failed to support Madrid, and this was contrary to the traditions. Hull called the argument a "technical" one, and — referring to the Montevideo agreement — refused to give up his stand regarding Spain. Cf. *Hull*: op. cit., pp. 484-485.
- 80 FR 1937, Vol. I, pp. 338, 348. — The proposal was advanced by Cardenas, President of Mexico.
- 81 Ibid., pp. 440-441. — Washington was ignoring even the reports of Ambassador Bowers, on the pretext that the Administration "had to pursue a broader course" in Spain than the one recommended by the Ambassador. Cf. *Hull*: op. cit., p. 485.
- 82 Ibid., p. 506.
- 83 FR 1937, Vol. I, pp. 346-347; 353-355; *Hull*: op. cit., pp. 510-513. — Hull was of the opinion that an extension of the embargo might have endangered "the conciliatory efforts" of Britain and France.
- 84 *Hull*: ibid., p. 506.
- 85 Ibid., p. 508.
- 86 *Pratt*: op. cit., pp. 220-221. — The Act forbade American citizens to travel on the ships of belligerents. Under the provisions of the former law they were entitled to do this on their own risk. The President was empowered by the 1937 Act to prohibit the use of American ports by the ships of belligerents. These provisions indicated a more severe interpretation of neutrality.
- 87 Ibid., pp. 224-229.
- 88 Ibid., p. 230.
- 89 *Hull*: op. cit., p. 517.
- 90 *Pratt*: op. cit., pp. 242-245.
- 91 *Hull*: op. cit., pp. 557-558.
- 92 Ibid.
- 93 *Pratt*: op. cit., pp. 250-252.
- 94 Hull was quite explicit about the speech he deplored. He stated that the Chicago speech "had the effect of setting back for at least six months our constant educational campaign intended to create and strengthen public opinion toward international co-operation". See *Hull*: op. cit., p. 545. — Roosevelt came to realize the intensification of the isolationist mood throughout the country, and cautiously withdrew. Cf. *Beard*: op. cit., pp. 187-196.
- 95 For the details of the Brussels Conference, see *Pratt*: op. cit., pp. 262-269.
- 96 Ibid., pp. 168-171.
- 97 Ibid., pp. 175-176.
- 98 Public Papers and Addresses of Franklin D. Roosevelt, 1939. New York, pp. 1-12.
- 99 *Hull*: op. cit., pp. 592-593.
- 100 Public Papers and Addresses of Franklin D. Roosevelt, 1939. pp. 201-205.
- 101 *Pratt*: op. cit., pp. 310-315.
- 102 Public Papers and Addresses of Franklin D. Roosevelt, 1939. pp. 512-522.
- 103 *Hull*: op. cit., p. 684.
- 104 Ibid.
- 105 Roosevelt submitted the neutrality legislation of the thirties to a searching criticism. He stated that the former Acts had been contrary to international law. He poured ridicule on the concept of the embargo which prohibited the export of arms etc., but allowed the exportation of materials and goods indispensable to warfare. He also pointed out that the new purchases of belligerents would affect favourably the business conditions, an argument that lent support to the draft bill in Congress.
- 106 *Pratt*: op. cit., p. 346.